CLAIM AMENDMENTS

Please cancel claims 6-8 without prejudice or disclaimer.

The following claim listing replaces all prior listings and versions of the claims:

1. (currently amended) A data generating device, provided in an electronic endoscope, said device generating an image data corresponding to an object image obtained by said electronic endoscope, and character information including a date when said object image is obtained, said device comprising:

a date-differentiating processor that generates said character information so that, when said date is displayed on a screen of a display device along with said object image:

at least one of the year, month, and day is differentiated on said screen, wherein said date-differentiating processor sets one of the year, month, and day to a color ~~or character type~~ different from the others; and

the date is displayed in an order of at least one of year, month and day; month, day and year; and day, month and year.

2. (canceled)

3. (original) The device according to claim 1, wherein said date-differentiating processor sets one of the year, month, and day to a color or character type different from the others only for the period of a date-setting operation.

4. (original) The device according to claim 1, wherein said date-differentiating processor sets a mode of display of the year, month, and day so that said screen differentiates at least one of the month and day, of the displayed year, month, and day.

5. (original) The device according to claim 4, wherein said date-differentiating processor sets one of the month and day, of the year, month, and day displayed by numerals, to a different color.

6-8. (canceled)

9. (original) The device according to claim 4, wherein said date-differentiating processor sets one of the month and day, of the year, month, and day to be displayed by numerals, to a different color only for the period of the date setting operation.

10. (original) The device according to claim 4, wherein said date-differentiating processor sets the year, month, and day to be displayed by numerals to respectively different colors.

11. (canceled)

12. (previously presented) The device according to claim 1, wherein said display order can be changed on said screen by a switching operation of the display order.

13. (original) The device according to claim 1, wherein said object image and date to be displayed on said screen are preferably stored as a single image in an image storage device.

14. (original) The device according to claim 13, wherein said object image stored in said image storage device is at least reproduced and displayed on said screen or output as hard copy.

15. (original) The device according to claim 1, further comprising a storing processor that stores said date along with said object image, in an electronic file.

16. (original) The device according to claim 1, further comprising a display processor that displays said character information, generated by said date-differentiating processor, along with said object image, on said screen.

17. (original) The device according to claim 16, wherein said display processor comprises a character code output processor that outputs a character code corresponding to said date, and a character signal generating processor that generates a character signal in accordance with said character code output by said character code output processor, said character signal being output, along with a video signal corresponding to said object image, to a monitor provided outside said electronic endoscope, so that said object image is displayed on said screen and said date is displayed at a predetermined position on said screen.

18. (original) The device according to claim 17, wherein said date-differentiating processor outputs said character code in such a manner that one of the year, month, and day, to be differentiated from the others, is displayed in a mode of display which is different from that of the others.

19. (currently amended) An electronic endoscope comprising:

a display processor configured to display a date in an order of at least one of year, month and day; month, day and year; and day, month and year, along with an object image on a screen; and

a storing processor that stores said date along with said object image in an image storage device as a single image;

said storing processor configured to differentiate at least one of the year, month, and day by storing one of the year, month, and day by a different color ~~or a different character type~~ in said image storage device.

20. (canceled)

21. (original) The electronic endoscope according to claim 19, wherein said storing processor stores the year, month, and day in said image storage device to enable at least the month and day in the year, month, and day to be differentiated on said screen.

22. (currently amended) The electronic endoscope according to claim 21, wherein said storing processor stores one of the month and day in the year, month, and day by a different color ~~or different character type~~ in said image storage device.

23. (original) The electronic endoscope according to claim 21, wherein said storing processor stores the year, month, and day displayed by numerals by different colors in said image storage device.

24. (canceled)

25. (previously presented) The electronic endoscope according to claim 19, wherein the display order can be changed on said screen by a switching operation of the display order.

26. (original) The electronic endoscope according to claim 19, wherein said image stored in said image storage device is at least reproduced and displayed on said screen or output as hard copy.

27. (original) The electronic endoscope according to claim 19, wherein said storing processor comprises a character code output processor that outputs a character code corresponding to said date, and a character signal generating processor that generates a character signal in accordance with said character code output by said character code output processor, said character signal being output, along with a video signal corresponding to said object image, to said image storage device, so that said date is stored in said image storage device along with said image.

28. (original) The electronic endoscope according to claim 27, wherein said storing processor outputs said character code in such a manner that one of the year, month, and day, to be differentiated from the others, is displayed in a mode of display which is different from that of the others.

29. (currently amended) An electronic endoscope comprising:

a display processor configured to display a date in an order of at least one of year, month and day; month, day and year; and day, month and year, along with an object image on a screen; and

a date-differentiating processor that sets the mode of display of the year, month, and day to be displayed by said display processor so as to differentiate at least one of the year, month, and day on said screen, wherein said date-differentiating processor sets one of the year, month, and day to a color ~~or character type~~ different from the others.

30. (currently amended) A data generating device for an electronic endoscope, the data generating device comprising:

an image data generator configured to generate image data corresponding to an object image obtained by the electronic endoscope; and

a date-differentiating processor configured to generate character information including a date, such that when the date is displayed on a screen of a display device along with the object image said date-differentiating processor differentiates at least one of year, month and day on the screen by setting one of the year, month, and day to ~~at least one of~~ a color ~~and character type~~ different from the other of the year, month and day;

wherein an order of the displayed date is switchably displayable from among the year, month and day; month, day and year; and day, month and year.

31. (currently amended) An electronic endoscope comprising:

a display processor configured to selectively and switchably display, along with an object image on a screen, an order of a date from among year, month and day; month, day and year; and day, month and year; and

a storing processor configured to:

store the date along with said object image in an image storage device as a single image; and

store the at least one of one of the year, month, and day of the date by ~~at least one of~~ a different color ~~and a different character type~~ in said image storage device.

32. (not entered)

33. (new) A data generating device, provided in an electronic endoscope, said device generating an image data corresponding to an object image obtained by said electronic endoscope, and character information including a date when said object image is obtained, said device comprising:

a date-differentiating processor that generates said character information so that, when said date is displayed on a screen of a display device along with said object image:

at least one of the year, month, and day is differentiated on said screen, wherein said date-differentiating processor sets one of the year, month, and day to a font different from the others; and

the date is displayed in an order of at least one of year, month and day; month, day and year; and day, month and year.

34. (new) An electronic endoscope comprising:

a display processor configured to display a date in an order of at least one of year, month and day; month, day and year; and day, month and year, along with an object image on a screen; and

a storing processor that stores said date along with said object image in an image storage device as a single image;

said storing processor configured to differentiate at least one of the year, month, and day by storing one of the year, month, and day by a different font in said image storage device.

35. (new) An electronic endoscope comprising:

a display processor configured to display a date in an order of at least one of year, month and day; month, day and year; and day, month and year, along with an object image on a screen; and

a date-differentiating processor that sets the mode of display of the year, month, and day to be displayed by said display processor so as to differentiate at least one of the year, month, and day on said screen, wherein said date-differentiating processor sets one of the year, month, and day to a font different from the others.

36. (new) A data generating device for an electronic endoscope, the data generating device comprising:

an image data generator configured to generate image data corresponding to an object image obtained by the electronic endoscope; and

a date-differentiating processor configured to generate character information including a date, such that when the date is displayed on a screen of a display device along with the object image said date-differentiating processor differentiates at least one of year, month and day on the screen by setting one of the year, month, and day to a font different from the other of the year, month and day;

wherein an order of the displayed date is switchably displayable from among the year, month and day; month, day and year; and day, month and year.

37. (new) An electronic endoscope comprising:

a display processor configured to selectively and switchably display, along with an object image on a screen, an order of a date from among year, month and day; month, day and year; and day, month and year; and

a storing processor configured to:

store the date along with said object image in an image storage device as a single image; and

store the at least one of one of the year, month, and day of the date by a different font in said image storage device.

STATEMENT OF SUBSTANCE OF INTERVIEW

Applicant wishes to thank Examiners Senfi and Kelley for the personal interview conducted on December 4, 2003 with Applicant's representative, Attorney William Boshnick. During the interview Examiner Kelley noted that, with respect to the claimed feature that one of the year, month and day is set to a different character type to one that is different from the others, the Examiner argued that by displaying the date 02/03/04 as, *e.g.*, February/03/04 as taught by the prior art, this change from "02" to "February" would be considered changing to different character type, since the change is made from numbers to letters.

Attorney Boshnick then contended, assuming *arguendo* that Examiner Kelley's points were valid, that none of the art of record discloses that the claimed feature that one of the year, month and day is set to a different color to one that is different from the others, and inquired whether the claims would be allowable over the art if we were to amend the independent claims to recite ---color--- rather than "color or character type." In response, Examiner Kelley asserted that such a limitation lacks "criticality," despite Attorney Boshnick's averment that, as noted in the file history of the present application, *e.g.*, in the Appeal Brief of August 13, 2003, that by having one of the year, month and day in a different color, it is easy for one viewing the display to distinguish between the year, month and day,

no matter what the order of the date, and there is thus no chance of the date being misread even when reproducing the stored image years later.

Nonetheless, Examiner Kelley stressed that it order to "preserve the integrity" of the PTO, it is the PTO's policy that "changing the color is not patentable," even though none of the art of record disclosed this feature as recited in the independent claims. The Examiners were adamant and argued that anybody can use a previously-known computer word processing program and change, in a document, one of the date, month and year to a different color. However, Examiner Kelley failed to explain the motivation for combining such a program with the endoscope of the present claimed invention. With respect to Attorney Boshnick's suggestion of including the limitation of "font" instead of character type, Examiner Kelley asserted that color is a type of font and said that such a feature is not patentable for the same reasons that color is not patentable.